

The Islamic Verdict on

Sharing Power with Kufr Regimes

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Introduction

The fundamental point of view of the west (i.e. the Capitalist ideology) is based on the detachment of religion (i.e. God) from life's affairs.

For the Capitalist ideology God may or may not be the creator however He is definitely not the commander, it is Caesar, the Prime Minister, the King, the President or the representative of the people. (i.e. it is man who legislates and commands).

The Capitalist ideology states that the principle of God or religion is an individualistic concept remote from the society. Religion for them is about a ritual or spiritual relationship with God whereas society concerns the relationship between people (i.e. economic, social and ruling systems etc.) managed by representatives of the people i.e. a state or an authority. Hence the famous saying [give unto Caesar what is Caesar's and unto God what is God's] manifests the secular concept clearly. In other words: God mind your own business in the church or in the mosque and we will mind our own business in life's affairs i.e. Society.

In the Capitalist ideology God is usually represented by clergymen or charitable organisations, and man is usually represented by statesmen or political parties. One is not allowed to interfere with the other.

Hence man in the west manages his own affairs and he is the one who satisfies his basic needs i.e. for food, shelter and clothing etc. and his instincts i.e. of procreation, reverence and survival how he wishes.

From this secular point of view emanates the idea of democracy, which defines that sovereignty and authority are for man since he is the source of legislation. This is manifested in the saying [The rule of the people, by the people, for the people]

1. The rule of the people: means mastership for the people i.e. the power of legislation.

2. By the people: means the people rule by what they legislate.

3. For the people: means the people will be ruled over by what they or their representative's i.e. MPs have legislated. The Types of Authorities:

This above saying translates legally and practically into three types of authorities:

1. *The Legislative Authority*: which has the power to legislate and pass laws or to amend or repeal them and to monitor their execution.

2. *The Executive Authority*: which executes the laws and rules which have been legislated by the legislative authority.

3. *The Judicial Authority*: which involves courts and judges who pass verdicts in cases they judge according to what the legislative authority legislates.

This is the basis of the democratic system, a branch of the root, which is the detachment of religion from life's affairs. Hence whoever accepts the branch must necessarily accept the root from which it emanated implying acceptance of sovereignty for man in contradiction with Islam which is based on the fundamental principle that sovereignty, mastership and supremacy are for none but Allah (SWT) and that the only system which people are obliged to follow is the system which the final Messenger Muhammad (SAW) brought to mankind and which is manifested by embracing the words which make one a *Muslim* "I bear witness that there is no God but Allah, I bear witness that Muhammad is a Messenger of Allah".

This means that we pledge to worship, follow, obey and submit to none but Allah (SWT) and to follow no way of life or system different to that which the messenger Muhammad (SAW) brought. Whereas in the democratic system the people will follow and submit to their own

whims and desires manifested in legislating law and order in their legislative parliaments. This requires us to understand the reality of legislative parliaments.

The Legislative Parliament

The idea behind establishing legislative parliaments emanates from the democratic concept which says that the rule is for the people and by the people, and that the people are the legislative source; democracy means that all the people form the state, and that everyone has the same rights as the others in appointing the government and choosing the rulers and passing bills of legislation. So people have the right of legislation and to choose the leaders and have the absolute power in running their affairs. The people are any group of persons living in one country regardless of their race, colour, creed or language.

Since all the people cannot practically form the legislative body, they choose deputies to represent them as the legislative and executive body, these deputies form the House of Commons i.e. parliament. Parliament is the body that selects the ruler or the head of state who will in turn select the cabinet and hand out the ministerial portfolios.

The Work of Legislative Parliaments

The work of parliaments can be summarised in two points:

1. Legislation and passing laws.
2. To give the government a vote of confidence, or no confidence.

The Islamic Verdict

What is the Islamic verdict concerning legislative parliamentary elections, be it selecting a candidate, or standing as a candidate or selecting or voting for a deputy?

As for legislation, parliaments in general and particularly in Europe legislate non Islamic laws, and in some cases laws completely contradictory to Islam; they legislate laws and systems of unbelief (kufr), this action is forbidden by Islam. This in Islam is known as "Rububiyyah" (Lordliness). Allah (SWT) says:

"They take their priests and their rabbis to be their lords in derogation of Allah." [EMQ 9:31].

Islam considers this as resorting to the rules of non-Islam in which we have been ordered to disbelieve. Allah (SWT) says: "Have you not turned your vision to those who declare that they believe in the revelations that have come to you and to those before you? Their real wish is to resort together for Judgement in their disputes to the Taghoot (non-Islam) though they were ordered to reject it. But Satan's wish is to lead them astray far away (from the Right)." [EMQ 4:60].

This action is not the right path for believers, Allah (SWT) says:

"If anyone contends with the Messenger even after guidance has been plainly conveyed to him, and follows a path other than that becoming to men of Faith, We shall leave him in the path he has chosen, and land him in hell - What an evil refuge."
[EMQ 4:115].

Legislation has not been approved in Islam by any text of Shari'ah, so it is rejected, as narrated in the Hadith of Muslim on the authority of Ayesha: She said that the Prophet (SAW) said: *"Whoever performs an action not ordered by us it is rejected"*. As for giving a vote of confidence to rulers who are elected to implement these kufr laws, this is an approval or acceptance of other than what Allah (SWT) has decreed, and is a co-operation on Ithm (oppression) and Allah (SWT) has forbidden this for believers.

This is the Islamic verdict on parliaments and their functions as well as on the function of the members of parliament (including deputies and congressmen).

The Islamic verdict on the appointment of parliamentary candidates for legislative parliaments or to vote for candidates for legislative parliaments is prohibited (Haram) whatever the intention was or the objective behind such actions.

Therefore being a minister in a kufr (unbelieving) regime, or enjoying some legislative powers or giving the ruler a vote of confidence is forbidden, because the means which lead to Haram ends are Haram. Standing as a parliamentary candidate is also prohibited in Islam (Haram) whatever the intention was or the objective behind such actions.

As for those who wish to become deputies (MPs) in order to take part in parliamentary business such as voting on any legislation (whether for or against) or giving the ruler a vote of confidence etc., this is totally forbidden and rejected; Muslims should not vote for them because it is a means that leads to forbidden ends (Haram) and helps and strengthens mischief, sin and wrongdoing. Islam has forbidden such actions for Allah (SWT) says:

"Help not one another in sin and transgression, but keep your duty to Allah. Lo! Allah is severe in punishment" [EMQ 5:2].

The Sovereignty for None but Allah (SWT)

For the Capitalist ideology the sovereignty and authority is for man and he is the legislator. But in Islam Allah (SWT) is the only Creator, Commander and Legislator.

The evidence for this is that Allah (SWT) says:

"The command is for none but Allah, He hath commanded that ye worship, follow, submit and obey none but Him; that is (Islam) the right religion, but most men understand not."
[EMQ 12:40].

The above ayah states clearly that sovereignty is for Allah (SWT) and that the believers are obliged to worship, follow, submit and obey only Him by following nothing but His commands in all spheres of life i.e. ritual, personal, ruling, social, economic and international affairs. Moreover this verse nullifies the possibility of anyone claiming that we should follow what the majority decide because Allah (SWT) says:

"...but most men understand not"

and God in the Qur'an dispraises and condemns the majority who do not follow His commands. He warns us of being trapped or impressed by the opinion of the majority. He (SWT) says:

"The good and the evil (which have been decided by Allah) are not alike even if the evil looks like the good and is followed by the majority. So fear Allah, O ye that understand; that (so) ye may prosper." [EMQ 5:103]

And God makes it clear that none of His servants, believers or disbelievers is allowed to disagree or to be dissatisfied with His commands or decisions by His saying:

"The command is for none but Allah and no one can say otherwise." [EMQ 13:4]

Further, Allah (SWT) states:

"It is not allowed for a believer, male or female, if Allah and His messenger decide a matter to have any say." [EMQ 33:36]

God has thus decided the message of Al-Islam to be the dominant message and the confirmation of all messages before and the abrogation of them. Allah (SWT) says:

"The only Deen (belief or actions) Allah accepts (from the believers) is what is based on Islam." [EMQ 3:19]

And He (SWT) says:

"And whosoever follows or looks for a way different to the way of Islam God will never accept his deeds (even if it looks good) and he will be in the hereafter among those who have failed." [EMQ 3:85]

From the above verses it is clear that a Muslim has no choice but to abide by the command of God and to reject the commands of man. Under no circumstances can he accept the legislation of man nor can he participate in or promote man's law because Allah (SWT) says:

"Obey Allah, Obey the messenger and those (believers) in legitimate authority above you and If you face any dispute, problem or issue among yourselves refer it to God and His Messenger if you claim you are a believer." [EMQ 4:59]

Hence Allah (SWT) holds every responsible person (i.e. Al-Mukallaf) subject to be accounted for his/her deeds be they verbal or physical actions or transactions.

Allah (SWT) says:

"By your Lord, (Oh Muhammad) I will account all of them about every deed." [EMQ 15:93].

However Islam did permit a person to delegate some of his responsibilities to another person. This requires us to understand the concept of representation Al-Wilaayah in Islam.

Representation (Al-Wilaayah)

Every Mukallaf (i.e. mature and sane person) is considered to be one of the following:

The Original *Al-Aseel* i.e. the one who represents him/herself.

The Representative *Al-Wakeel* i.e. the one who represents another person

The Next of kin *Al-Walie* i.e. the one who is responsible for others e.g. the father or the Khaleefah.

The Guardian *Al-Wassie* i.e. the one who is responsible for a child or a disabled person (i.e.Al-Qaaser).

NB: The Shari'ah holds the Mukallaf (him/her) as an Aseel: the one who is responsible for his/her own affairs and duties and Islam gives every Aseel the Wilaayah (power of self-representation). However the Shari'ah does give one a permit to delegate certain responsibilities to someone else to represent him or her. This requires us to understand the principle of Representation Al-Wilaayah in Islam and its divisions and types.

The Divisions of Representation Al-Wilaayah

Representation Al-Wilaayah is of two divisions:

1. *Self Representation* Al-Wilaayah Al-Asseelah
2. *Appointed Representation* Al-Wilaayah Al-Niyaabiyyah

Self Representation Al-Wilaayah Al-Asseelah

In order to be Asseel i.e. to represent yourself, you must be Raashed (i.e. competent) and not Qaaser (i.e. a child or disabled without any two of the following: sight, hearing or speech.)

Appointed Representation Al-Wilaayah Al-Niyaabiyyah:

Appointed Representation is of two types:

a. *Without choice* Al-Wilaayah Al-Niyaabiyyah Al-Ijbaariyyah

b. *With choice* Al-Wilaayah Al-Niyaabiyyah Al-Ikhtiyariyyah

Appointed Representation without Choice

Appointed Representation without choice is appointment over life's affairs Wilaayat ul-Nafis, for example the Representation of the father over the marriage of his daughter, or it is appointment over wealth Wilaayat ul-Maal, for example a representative appointed over the wealth of a child or the wealth of someone who is insane.

Appointed Representation with Choice

Appointed Representation with choice (i.e. delegation Al-Wekaalah) is also of two types:

i. Specific Khassah

ii. General Ammah

These both can be either un-restricted Muttlaqah or restricted Muqayyadah.

i. Specific Khassah - For example you can delegate someone to sell your car and this could be:

a. *Un-restricted* Muttlaqah: e.g. sell it for how much they think it should sell for.

b. *Restricted* Muqayyadah: e.g. [sell it for no less than £5,000]

ii. General Ammah: For example you can delegate someone to deal with your property and this could be:

a. *Un-restricted* Muttlaqah: e.g. deal with all the matters regarding it.

b. *Restricted* Muqayyadah: e.g. manage it but do not sell it.

Delegation Al-Wekaalah

Delegation Al-Wekaalah has four pillars:

- 1. The Delegator** *Al-Muwakkil* .
- 2. The Delegatee** *Al-Wakeel*.
- 3. The Wording of the Delegation** *Seeghat ut-Tawkeel*.
- 4. The Subject of the Delegation** *Al-Muwakkal feeh*.

1. The Conditions for the Delegator Al-Muwakkil

The Delegator must be Sane A'aqil

The Delegator must be Mature Baalegh

The Delegator must be Competent Raashed (i.e. not Qaaser)

The Delegator must only delegate that which is permissible by Shari'ah.

The Delegator must own the thing or have the right he/she wishes to delegate.

The Absence of any divine prevention's Gheyaab ul-Mawaani Al-Shari'yyah.

2. The conditions for the Delegatee Al-Wakeel

The Delegatee must be Sane A'aqil

The Delegatee must be Mature Baalegh

The Delegatee must be Competent Raashed (i.e. not with a severe disability Qaaser).

The Delegatee must accept only the delegation, which is permissible by Shari'ah.

The Delegatee must accept only the delegation, which is open for representation by Shari'ah.

The Absence of any divine prevention's Gheyaab ul-Mawaani Al-Shari'yyah.

3. The conditions for the Wording of the delegation

There must be an offer and acceptance between the Delegator and the Delegatee.

There must be no duress upon either party.

There must be no ambiguity in the Wording. i.e. it must be clear as to the delegation i.e. whether it is specific or general and restricted or unrestricted.

The Absence of any divine prevention's Gheyaab ul-Mawaani Al-Shari'yyah.

4. The conditions for the subject of delegation Al Muwakkal feeh

It must be known to the Delegatee and present if it is a thing. e.g. [represent me in the meeting] or [sell my car for £5000 pounds].

It must be delegatable by Shari'ah e.g. to sell, buy, contract or donate

It must be in the area of permissibility by Shari'ah e.g. it is not allowed to ask someone to oppress, to sell alcohol, to attack someone or to legislate law etc.

The Absence of any divine prevention's Gheyaab ul-Mawaani Al-Shari'yyah.

Evidence for delegation Al-Tawkeel

The evidence for delegation is mentioned in the Hadith of Abu Daoud and Tirmidhi narrated upon the authority of Haakim bin Hizam that Rasool Allah (SAW) delegated Hakim to buy for him (SAW) a sheep and in the Hadith narrated by Imam Ahmed and Bukhari upon the authority of Urwa *that the Prophet Muhammad (SAW) delegated his father Abu Urwa Al-Bariqi to buy for him a sheep and to offer it as Qurbani*. It is further narrated by Abu Daoud in Vol. 1 Hadith No. 468 *that the Messenger Muhammad (SAW) delegated Amru bin Umayyah Adumuri to conduct on behalf of him the contract of marriage to Umm Habeebah, the daughter of Abu Sufyan, while she was in Abyssinia*. In addition the Prophet (SAW) delegated to many of the state departments someone to manage the affairs e.g. to collect Zakat, distribute wealth, to remove disputes etc.. Islam also permits one to pay the Delegatee some money. It is narrated from Abu Daoud and Tirmidhi upon the authority of Urwa *that the Messenger Muhammad (SAW) used to delegate people to manage the affairs of others and would specify for them some revenue*.

These evidences are sufficient for the permissibility of delegation within the aforementioned conditions e.g. for the subject of delegation not to be prohibited in Islam and the Delegatee not to indulge in any prohibited transaction e.g. legislation (whether beneficial or not), aggression or kufr etc. and Allah (SWT) says:

"Those who do not judge (rule or refer) to whatever Allah reveals, they are the disbelievers" [EMQ 5:45]

It is agreed upon among the classical scholar's e.g. Al-Imaam Al-Maqdisi, Al-Imaam Al-Kasani and Al-Imaam Al-Quraafi etc.. that those who delegate in any matter prohibited by Islam (e.g. selling alcohol or voting for man-made law) or delegate a person who is not trustworthy or Kafir will share with the Delegatee the sin and punishment.

Moreover those who delegate in any matter permissible in Islam a person who is not trustworthy or kafir will share with the Delegatee the responsibility or the sin and punishment.

ELECTION 1997 In the run up to the forthcoming elections many Muslims who are sinfully integrated with the kufr society have been affected by kufr concepts and are unintentionally starting to reconcile Islam (i.e. God's law) with Kufr (i.e. man's law) in society (i.e. the continuous relationship between the people managed by a state) and instead of interacting with society to change it as Allah (SWT) has ordered them to do, these individuals have started to integrate into society in a defeatist manner justifying man-made law and sometimes using the notion of benefit, the end justifies the means, obeying man-made law or referring to imaginative evidence to justify it.

Refuting the Misconceptions

The Messenger Yusuf (AS)

An example of imaginative evidence is wrongly attributing to the Messenger Yusuf (AS) that he shared kufr power and implemented kufr law during the time of Al-Azeez of Egypt whereas Allah (SWT) has informed us that he declared that the Rule is for none but Allah. Allah (SWT) says:

"The command is for none but Allah, He hath commanded that ye worship, follow, submit to and obey none but Him; that is (Islam) the right religion, but most men understand not."
[EMQ 12:40].

In addition the messenger Yusuf (AS) was not a ruler rather he was a store-keeper, someone responsible for the distribution of water and food during the time of famine and when one of his brothers was accused of stealing he clearly referred to the Shari'ah of his father the messenger Ya'qoub (AS) and not to man-made law i.e. the law of Al-Aziz. Further Allah (SWT) orders us to follow the Messenger Muhammad (SAW) as the Uswah and restricts us by saying:

"Whatever the messenger (Muhammad) brought to you take and abide by it, and whatever the messenger forbids leave and refrain from it" [EMQ 57:7]

Moreover the messenger Muhammad (SAW) said to Omar bin Al-Khattab (RA), when he saw him reading a page from the Torah: *"Leave it, By Allah if my brother Musa (AS) was alive today he would have no choice but to follow my way i.e. Shari'ah"*

The Shari'ah principle is that the Shari'ah (divine rules) before us i.e. before Islam are not for us because Allah (SWT) says:

"For each Messenger I sent a Shari'ah and way of life" [EMQ 5:48]

As for the Shari'ah principle which some scholars follow and which states that the Shari'ah (Divine rules) before us i.e. before Islam is Shari'ah for us until our Shari'ah abrogates it or states otherwise. In fact even for those who follow this principle they reject to share power with kufr because Allah (SWT) clearly states in the Quran:

“Rule and judge between them by whatever Allah has revealed to you (Oh Muhammad ” [EMQ 5:49]

In addition to all the above at the time of Yusuf (AS) It was not prohibited to share power with kufr regimes (even if we assume that he did shared power). However in Islam it is prohibited to share power with kufr regimes as it is to drink alcohol (whereas alcohol was not prohibited before Islam). Hence if we start leaving Islamic rules and begin to refer to what was before the Shari'ah of Islam we will end up drinking alcohol, committing fornication and even removing the eye of a person who removed someone else's eye, whereas in Islam blood-money is payable and it is prohibited to remove anyone's eye.

NB: I wonder What the relationship is between the permissible actions of the messenger Yusuf (AS) who abided by the commands of Allah (SWT) and the prohibited actions of those going to vote for man-made law or sharing power with Kufr regimes!!

The Abyssinian King

Another example of imaginative evidence is wrongly attributing to the Abyssinian king that he was a Muslim implementing kufr.

First of all to refer to the actions of man is another indication that we are refraining from the only example we must follow i.e. the messenger Muhammad (SAW) and not the Abyssinian King. However for argument's sake let us consider the claim.

It is well known that the Abyssinian king was not a Muslim as far as the Muslims at the time were concerned. However it has been narrated that when the messenger Muhammad (SAW) declared Salat ul-Janazah for the king the Muslims were informed that he died a Muslim. Hence no

one is able to claim that the king embraced Islam during his life or when Allah (SWT) ordered us to rule by Islam or before his death. Therefore the whole claim is like the one who wants to get aid from a fly to fly himself.

In addition Islam was completed upon the death of the messenger Muhammad (SAW) and not upon the death of the Abyssinian king. In any case how can anyone imagine a king who hides his belief as a divine example to follow?

The scholars of Hadith classify the sayings, actions and consent of the Sahabi as Hadith Mawoqouf i.e. not Hadith which we are obliged to follow or to take as evidence. How about someone who wasn't a Sahabi?

As for the consent of the messenger Muhammad (SAW) for the actions and sayings of a Muslim they are always derived from Al-Hadith Al-Marfou' Al-Taqriri which are attributed to the messenger by a Sahabi whereas the king was not known as a Muslim let alone a Sahabi. And the consent of the messenger only applies to actions and sayings which took place in front of him and which he is able to address otherwise one could consider the consent of the messenger for some of the actions of Abu Lahab as divine evidence!! The king was not a Sahabi or a Muslim for the Prophet (SAW) (our only divine example to follow).

Finally if the Abyssinian king was a Muslim why did he keep a relationship between his kingdom and the enemies of Islam i.e. the Quraishi regime and why did the messenger not go to him to seek support to implement Islam instead of seeking the support of e.g. Al-Khazraj, Al-Aws, Banu Sa'ssa'ah, Banu Hanifah etc.

NB: I wonder What the relationship is between the actions of Abyssinian king and the prohibited actions of those going to vote for man-made law or sharing power with kufr regimes!!

The Treaty of Hudaibiyah

Yet another example of imaginative evidence is wrongly attributing to the Messenger Muhammad (SAW) that he compromised with kufr regimes by involving himself in the treaty of Hudaibiyah whereas His

(SAW) involvement in Hdaybiyah was worship to Allah (SWT) since it is permitted Islamically for the leader of the Islamic state to have treaties or cease-fires, unlike going to vote for man-made law or to be a candidate for a kufr party such as the Labour, Liberal or Conservative party.

NB: I wonder what the relationship is between the actions of the messenger Muhammad (SAW) who abided by the commands of Allah (SWT) and the prohibited actions of those going to vote for man-made law or sharing power with kufr regimes!!

The Alliance of Al-Fudhoul

A further example of imaginative evidence is wrongly justifying the prohibited actions of voting for man-made law or sharing power with kufr regimes by the Islamic opinion which permits the leader of the state to enter into an agreement i.e. a treaty with another state to protect travellers who wish to visit Makkah in Hajj and which is called Hilf Al-Fudhoul because the messenger Muhammad (SAW) said: *"If they invite me to enter an alliance like Hilf Al-Fudhoul I will enter it"* Knowing full well that no one is allowed to be involved in the duties of the state except the leader of the Islamic state i.e. the Khaleefah, not any individual or groups.

NB: I wonder What the relationship is between the actions of the messenger Muhammad (SAW) who abided by the commands of Allah (SWT) who permitted him (SAW) to enter a treaty in his capacity as a leader and the prohibited actions of those going to vote for man-made law or sharing power with kufr regimes or those entering treaties in their capacity as individuals or groups!!

The Lesser Of Two Evils

But worse than all of the above imaginative evidence is the evil so-called principle [The lesser of two evils]. Which states: which is it better to do, to drink alcohol, to commit Zina or to kill a baby? So one chooses to drink alcohol (the presumed lesser evil), becomes drunk, rapes the woman and kills the baby! Just like the one who votes for the sake of having an Islamic school thereby declaring war against God by legislating laws such as allowing the Islamic school, homosexuality,

Mosques, abortion, boycotting Muslims in Iraq, supporting the Serbs in their crusade against Bosnia etc.

This evil principle has no ground in Islam whatsoever but because a little bit of knowledge is sometimes more dangerous than the one who has no knowledge at all people quote the above evil statement and confuse it with the divine rules of duress or compulsion since the messenger Muhammad (SAW) stated: *"My Ummah is not accountable for errors, for forgetting or during duress"*. Duress has been classified by Shari'ah as life and death issues e.g. when somebody has been under torture or is threatened with it during his/her arrest and which Islam grants as a divine permit (Rukhssah) relating to divine circumstances i.e. Al-Ahkaam ul-Shari'yyat ul-Wadhi'iyyah.

NB: I wonder where the person is who is being tortured and forced to vote or to share power with the kufr regimes!! Moreover the above evil and stupid so-called principle indicates clearly that voting for man-made law and sharing power with Kufr regimes is evil but I wonder what the greater evil is?!! Perhaps it is to denounce Islam because it is difficult to abide by it !! (so "permit me to vote or I will declare kufr?").

Obeying The Law Of The Land

Another imaginative evidence is to say that we must obey the law of the land. This is an indication of the lack of knowledge among some Muslims and contradicts with the word of Allah. Similarly obeying man-made law is prohibited and contradicts with the belief of Muslims. Allah (SWT) says:

"Do not obey the disbelievers and the hypocrites, reject their corruption and depend on Allah" [EMQ 33:48]

And Allah (SWT) says:

"Do not obey the one who is misguided from the revelation and follows his desires and opinions (Man-made law)" [EMQ 18:28]

And Allah (SWT) also says:

"Hold fast to the Judgement of your Lord and obey not a Kafir or a sinner" [EMQ 76:24]

And Allah (SWT) says:

"...If you obey the disbelievers they will turn you back to kufr "
[EMQ 3:149]

Fulfil You Agreements

Some people may argue that Allah (SWT) says:

"Oh believers fulfil you agreements" [EMQ 5:1].

And they may refer to the Hadith of the prophet (SAW): *"Muslims must fulfil the conditions of their contracts"*. The answer to this is that the verse and hadith are correct but to use them in support of voting for man-made law or sharing power with kufr regimes is wrong since the Ayah does not request one to enter any prohibited contract otherwise one could contract to sell alcohol and honour it whereas the subject of such a contract is prohibited.

Moreover to honour a permissible contract or its conditions and terms is obligatory but this does not mean accepting any conditions even if they are forbidden since the messenger (SAW) said: *"Fulfil the conditions of your contracts except if the contract forbids the permissible or permits the forbidden"*.

We are in Dar-ul-Harb!

More imaginative evidence is to say that because we are in Dar-ul-Harb we are allowed to take interest, mortgages, insurance, free mix in classrooms of colleges and universities and vote for man-made law etc..!! Muslims attribute this cowardly to the great Imam Abu Hanifa without a shred of knowledge or understanding or ever having smelt Fiqh.

May Allah protect us from ignorance Al-Jahl and the ignorant Al-Jahaalah: The principle of Dar-ul-Harb Hukman Wa Fi'lan has no reality in the absence of Dar-ul-Islam because the presence of Dar-ul-Islam, in particular the foreign policy of the Islamic state (i.e. Al-Khilafah) will

classify the other countries of the World. For this reason the whole world today is classified as Dar-ul-Kufr except some Muslim land under occupation e.g. Palestine, Kashmir and Chechenya etc. which are classified as Dar-ul-Ghaseb. Moreover even if Dar-ul-Harb did exist today it is not a general permit to commit Haram rather it is a permit to live in it without fighting if the Islamic State has a treaty with that state otherwise living in Dar-ul-Harb has one purpose i.e. Jihad.

Public Interest Al-Masaaleh Al-Mursalah

Some people always try to impress others with terminology's such as Fiqh Al-Waaqi', Al-Istihsaan, Ahwan-ul-Sharrein and Akhaf ul-Dhararein. Al-Masaaleh Al-Mursalah is one of them.

In answer to such people and their claims it is worth mentioning that the master of the subject Al-Masaaleh Al-Mursalah is Imam Dar-ul-Hijra Al-Imam Malik Bin Anas who, if he were alive today, would grant everyone misusing his principle many lashes because he is the one who rejected the actions of the Taabi'een if they were not from the people of Madina let alone following the actions of the Kufar, promoting them and voting for them to legislate instead of Allah (SWT)!

Imam Malik's Opinion is that Allah (SWT) sent his message to mankind in order that they worship, follow, obey and submit to Him in this life to gain His pleasure in the Hereafter. However, according to Imam Malik the purpose of the Shari'ah in life is for man to get interest and benefit and to prevent harm.

The Maliki School of Thought divided interests (Al-Masaaleh) into three categories:

1. The Nullified Interests *Al-Masaalih Al-Mulghaat* (i.e. the interests which Islam forbids e.g. dealing with Riba, running away from Jihaad or Voting for man-made law etc..).

2. The Recognised Interests *Al-Masaalih Al-Mu'tabarah* (i.e. the interests which Islam permits e.g. accepting blood-money, income support, gifts and housing benefit etc..).

3. The Unmentioned Public Interests *Al-Masaalih Al-Mursalah* (i.e. the interest which Islam is silent about as far as the Maliki school of thought is concerned e.g. having loud speakers for the Azaan in mosques is considered to be for the interest of the Muslims although the Shari'ah did not forbid or permit it).

The conditions for the Unmentioned Public Interest among the Malikis are:

- i. It must not be prohibited in Islam e.g. voting for man-made law or playing the lottery.
- ii. It must be for the benefit of All Muslims.
- iii. It must be decided upon by The Khalifah or his Scholars and rulers.

NB: Islam restricts the Delegator and the Delegatee to indulge in any process of delegation for something forbidden e.g. legislation (law making) even for someone's interest because legislation is for none but Allah (SWT).

Finally: I wonder What the relationship is between Masaalih Al-Mursalah which is controlled by Shari'ah and the commands of Allah (SWT) and the prohibited actions of those going to vote for man-made law or sharing power with kufr regimes for the sake of benefit. Allah (SWT) says:

"Whatever you gain as benefit or interest in this life is but a convenience but that which is with Allah is much better and more lasting for those who believe and put their trust in Allah"
[EMQ 42:36].

Promoting Kufr Party Manifesto's

Nowadays we see so-called Muslim candidates visiting the house of Allah (SWT) (i.e. the Mosques) not for the sake of inviting you to Allah or His Deen but rather for the sake of inviting you to Labour, the conservatives or the Liberals. They always claim that politics is not allowed in the mosque but they are the first people to discuss non-

islamic politics (i.e. kufr politics) there. Allah (SWT) informs us about these people and promises them and their masters a severe punishment.

Allah (SWT) says:

"The Satan's will instruct their alliance to promote and argue with you their manifesto" [EMQ 6:121]

Allah (SWT) says:

"Here you are debating and arguing on behalf of them in this life but who will argue for you on the day of judgement or be their representative" [EMQ 4:109]

An Individual or Community Vote?

Some people shamelessly call people not for Jihad or for Islam but rather for voting for man-made law seeing only interest or some hidden political agenda! Some of them say you must vote for the Kufr Labour party for the sake of having mosques, others say that you must vote for the kufr conservative party for the sake of funding for Islamic schools, whilst others say do not vote for the kufr labour or conservatives individually rather commit your vote i.e. your sin collectively.

Allah (SWT) says:

"But say not lies: 'This is permitted, and this is forbidden' so as to ascribe lies to Allah. For those who ascribe lies to Allah will never succeed (in the Hereafter)" [EMQ 16:116].

So for Allah's sake do not command what is shameful and prohibited to the individual or to the whole community for Allah (SWT) says:

"Say: Allah never commands what is shameful: do ye say of Allah what ye know not"[EMQ 7:28]

We Are Muqalled and We Follow Our Community Leaders!

This is another excuse for many Muslims, claiming that they are Muqalled and that therefore they can follow their leaders and Imams

blindly. It is well known in Islam that every Muslim must know certain issues by necessity. In these issues the scholars and imitators are considered equal with respect to their knowledge about them e.g. fornication, homosexuality and free mixing are prohibited Haram. Voting for Man-made law is one of these issues, which every Muslim must know is prohibited and contradicts his belief. So the above claim will lead them to nothing but Hell-fire. Allah (SWT) says:

*"Oh our Lord: we obeyed our leaders and nobles who misled us,
Oh our Lord give them twice our punishment and curse them
severely " [EMQ33:67]*

Conclusion and Sincere Advice

In conclusion my sincere advice for those who call for voting for man-made law or for sharing power with kufr regimes and yet declare sovereignty for Allah (which has no meaning or presence in their lives, deeds, saying and transactions whatsoever except in wudu and Salat and Istinja) and for those ignorant people with titles such as Doctor, Professor, Sheikh, Maulana, Brother, Sister etc. who quote any verse or Hadith as evidence for something irrelevant (until we begin to hear that e.g. because we make wudu every time we pray we can have a mortgage or vote) is to fear Allah (SWT), to stop forbidding and permitting without knowledge and to remember what Allah (SWT) says:

"But say not lies: 'This is permitted, and this is forbidden' so as to ascribe lies to Allah. For those who ascribe lies to Allah will never succeed (in the Hereafter)" [EMQ 16:116].

Dear Muslim brothers and sisters, Allah (SWT) does not account you for your errors or unintentional mistakes but He will account you for what you do intentionally. Allah (SWT) says:

"You are not accounted for what you do by mistake, but for what you intentionally do" [EMQ 33:5].

So for Allah's sake do not mix the good deeds with the bad deeds. Allah (SWT) says:

"Among the people are hypocrites who have grown up with bad habits, you don't know them but Allah knows them. And there are others who mix good deeds with bad deeds: perhaps Allah will forgive them (if they repent) since Allah is all forgiving."
[EMQ 9:102].